

1 KAMALA D. HARRIS
Attorney General of California
2 FRANK H. PACOE
Supervising Deputy Attorney General
3 ROSAILDA PEREZ
Deputy Attorney General
4 State Bar No. 284646
455 Golden Gate Avenue, Suite 11000
5 San Francisco, CA 94102-7004
Telephone: (415) 703-1618
6 Facsimile: (415) 703-5480
Attorneys for Complainant
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8 **BEFORE THE**
BOARD OF REGISTERED NURSING
9 **DEPARTMENT OF CONSUMER AFFAIRS**
STATE OF CALIFORNIA

10 In the Matter of the Accusation Against:

Case No. 2013-964

11 **MARGARET ELAINE PLATT**
12 **aka MARGARET ELAINE PLATT-**
13 **PETCOFF**

A C C U S A T I O N

13 **P.O. Box 296**
14 **1400 Sioux Lane**
Burkburnett, TX 76354

15 **Registered Nurse License No. 733125**

16 Respondent.

17 Complainant alleges:

18 **PARTIES**

19 1. Louise R. Bailey, M.Ed., RN (Complainant) brings this Accusation solely in her
20 official capacity as the Executive Officer of the Board of Registered Nursing (Board),
21 Department of Consumer Affairs.

22 2. On or about July 30, 2008, the Board issued Registered Nurse License Number
23 733125 to Margaret Elaine Platt, aka Margaret Elaine Platt-Petcoff (Respondent). The Registered
24 Nurse License expired on April 30, 2010, and has not been renewed.

25 **JURISDICTION**

26 3. This Accusation is brought before the Board under the authority of the following
27 laws. All section references are to the Business and Professions Code (Code) unless otherwise
28

1 indicated.

2 4. Code section 2750 provides, in pertinent part, that the Board may discipline any
3 licensee, including a licensee holding a temporary or an inactive license, for any reason provided
4 in Article 3 (commencing with section 2750) of the Nursing Practice Act.

5 5. Code section 2764 provides, in pertinent part, that the expiration of a license shall not
6 deprive the Board of jurisdiction to proceed with a disciplinary proceeding against the licensee or
7 to render a decision imposing discipline on the license. Code section 2811, subdivision (b),
8 allows the Board to renew an expired license within eight years of expiration.

9 STATUTORY PROVISIONS

10 6. Code section 2761 states:

11 "The board may take disciplinary action against a certified or licensed nurse or deny an
12 application for a certificate or license for any of the following:

13 "(a) Unprofessional conduct, which includes, but is not limited to, the following:

14 "..."

15 "(4) Denial of licensure, revocation, suspension, restriction, or any other disciplinary action
16 against a health care professional license or certificate by another state or territory of the United
17 States, by any other government agency, or by another California health care professional
18 licensing board. A certified copy of the decision or judgment shall be conclusive evidence of that
19 action.

20 "..."

21 COST RECOVERY

22 7. Code section 125.3 provides, in pertinent part, that the Board may request the
23 administrative law judge to direct a licentiate found to have committed a violation or violations of
24 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and
25 enforcement of the case, with failure of the licentiate to comply subjecting the license to not being
26 renewed or reinstated. If a case settles, recovery of investigation and enforcement costs may be
27 included in a stipulated settlement.

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1 CAUSE FOR DISCIPLINE

2 (Unprofessional Conduct-Out of State Discipline)

3 8. Respondent is subject to disciplinary action under Code section 2761, subdivision
4 (a)(4), in that on or about February 14, 2012, in a disciplinary action before the Texas Board of
5 Nursing in the matter of Texas Registered Nurse License Number 534378 and Vocational Nurse
6 License Number 108748, Respondent received the sanction of "warning with stipulations." The
7 disciplinary action was based on Respondent testing positive for Opiates and Propoxyphene on or
8 about September 11, 2009 while she was employed as a Registered Nurse.

9 PRAYER

10 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,
11 and that following the hearing, the Board of Registered Nursing issue a decision:

12 1. Revoking or suspending Registered Nurse License Number 733125, issued to
13 Margaret Elaine Platt, aka Margaret Elaine Platt-Petcoff;

14 2. Ordering Margaret Elaine Platt, aka Margaret Elaine Platt-Petcoff, to pay the Board
15 of Registered Nursing the reasonable costs of the investigation and enforcement of this case,
16 pursuant to Business and Professions Code section 125.3;

17 3. Taking such other and further action as deemed necessary and proper.
18

19 DATED: APRIL 25, 2013

20 *Louise R. Bailey*
21 LOUISE R. BAILEY, M.ED., RN
22 Executive Officer
23 Board of Registered Nursing
24 Department of Consumer Affairs
25 State of California
26 Complainant
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